

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

|                           |   |           |
|---------------------------|---|-----------|
| UNITED STATES OF AMERICA, | ) |           |
|                           | ) |           |
| Plaintiff,                | ) | 8:21CR252 |
|                           | ) |           |
| vs.                       | ) |           |
|                           | ) |           |
| NICKILOS L. MCCARGAR,     | ) | ORDER     |
|                           | ) |           |
| Defendant.                | ) |           |

This matter is before the court on the Unopposed Motion to Continue Trial [25]. After consultation with counsel, the undersigned magistrate judge finds good cause for the requested continuance in order to allow the defendant sufficient time to conclude plea Negotiations. Accordingly,

**IT IS ORDERED** that the Motion to Continue Trial [25] is granted, as follows:

1. The jury trial now set for November 28, 2022, is continued to **January 30, 2023**.
2. In accordance with 18 U.S.C. § 3161(h)(7)(A), the court finds that the ends of justice will be served by granting this continuance and outweigh the interests of the public and the defendant in a speedy trial. Any additional time arising as a result of the granting of this motion, that is, the time between **today's date and January 30, 2023**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act. Failure to grant a continuance would deny counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(A) & (B)(iv).
3. No further continuances will be granted without a hearing before the undersigned magistrate judge.

**DATED: November 22, 2022.**

**BY THE COURT:**

**s/ Susan M. Bazis**  
**United States Magistrate Judge**